


FILED '08 OCT 30 12:36 USDC-ORE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

Sterling Cunio,)	No. 6:08-cv-0841-TC
)	
PETITIONER,)	
)	ORDER GRANTING
vs.)	JOINT MOTION TO
)	DISMISS AND TO
Brian Bellique,)	REFILE PETITION
Superintendent, Oregon State)	
Penitentiary,)	
)	
RESPONDENT.)	

This matter came before the court pursuant the parties' joint motion for an order dismissing the habeas corpus petition and deeming it re-filed as of October 28, 2008, and for an order granting the respondent 60 days thereafter to file her response. For good cause shown, the motion is granted.

It is hereby ORDERED that the petition filed on June 13, 2008, is hereby dismissed and is deemed refiled as of October 28, 2008. Respondent is granted leave to file a response 60 days from the date of the court's order.



Thomas Coffin
Magistrate Judge

1 – ORDER GRANTING JOINT MOTION TO DISMISS AND TO RE-FILE
PETITION